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| 10/715,386 | 11/19/2003 | Naoko Ohmori | 1448.1045 | 5467 |
| 21171 | 7590 | 11/30/2006 | EXAMINER | |
| STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | WIENER, ERIC A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2112 | |

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/715,386

Applicant(s)

OHMORI, NAOKO

Examiner

Eric A. Wiener

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/19/2003, 11/2/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 – 8 are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1 – 6 and 8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 1 is nonstatutory, because the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological environment or machine that would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. The claim requires the addition of a tangible hardware element to produce a tangible result.

Claims 2 – 6 depend on claim 1 and do not further add a hardware element to provide a tangible result. Claims 2 – 6 are therefore nonstatutory for the same reason as claim 1.

Claim 8 is nonstatutory, because the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological environment or machine that would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. The claim is non-tangible since the body of the claim does not further claim use of the apparatus disclosed in the

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preamble to produce a tangible result. The claim requires the addition of a tangible hardware element to produce a tangible result.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 – 3, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine et al. (US 7,007,067 B1) in view of Dowling et al. (US 2002/0152045).

As per claim 1, Azvine discloses *a method for processing information comprising extracting information relating to a telephone caller (Abstract and column 37, lines 34 – 49) and displaying the information relating to the caller in a window (column 30, lines 7 – 25).*

Azvine does not explicitly disclose the method includes deciding a background color of a window based on a response method specified by a staff in charge, as a target for responding to the caller, corresponding to the caller or that the displaying of the information relating to the caller in a window should correspond to said color.

However, in an analogous art, Dowling discloses *deciding a background color of a window based on a response method specified by a staff in charge, as a target for responding to the caller, corresponding to the caller and that the displaying of the information relating to the caller in a window should correspond to said color ([0143]).*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Dowling with the method of Azvine to develop a method of extracting and displaying caller information wherein the information is conveyed in a color-coordinated manner. The modification would have been obvious, because it would be useful to provide a method of displaying caller information to a user in a peripheral way so that the user will easily be alerted to the type of information displayed (Dowling, [0008]).

As per claim 2, Azvine and Dowling substantially disclose the method of claim 1. In addition, Azvine further discloses *extracting information relating to the staff in charge, wherein the displaying includes displaying the information relating to the staff in charge in the window* (column 7, lines 42 – 60).

As per claim 3, Azvine and Dowling substantially disclose the method of claim 1. In addition, Azvine further discloses *extracting information relating to a meeting between the caller and the staff in charge, wherein the displaying includes displaying the information relating to the meeting in charge in the window* (column 29, line 45 – column 30, line 25).

As per claim 7, Azvine discloses *a computer program making a computer execute the extracting of information relating to a telephone caller* (Abstract and column 38, lines 1 – 3) *and the displaying of information relating to the caller in a window* (column 30, lines 7 – 25).

Azvine does not explicitly disclose the computer program includes deciding a background color of a window based on a response method specified by a staff in charge, as a target for responding to the caller, corresponding to the caller or that the displaying of the information relating to the caller in a window should correspond to said color.

However, in an analogous art, Dowling discloses *deciding a background color of a window based on a response method specified by a staff in charge, as a target for responding to the caller, corresponding to the caller and that the displaying of the information relating to the caller in a window should correspond to said color* ([0143]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Dowling with the computer program of Azvine to develop a computer program for extracting and displaying caller information wherein the information is conveyed in a color-coordinated manner. The modification would have been obvious, because it would be useful to provide a computer program used for displaying caller information to a user in a peripheral way so that the user will easily be alerted to the type of information displayed (Dowling, [0008]).

As per claim 8, Azvine discloses *an apparatus for processing information comprising a caller information extracting unit that extracts information relating to a telephone caller (Abstract) and a display unit that displays the information relating to the caller in a window (column 30, lines 7 – 25).*

Azvine does not explicitly disclose the apparatus includes a background color deciding unit that decides a background color of a window based on a response method specified by a staff in charge, as a target for responding to the caller, corresponding to the caller or that the display unit should display the information relating to the caller in a window corresponding to said color.

However, in an analogous art, Dowling discloses *deciding a background color of a window based on a response method specified by a staff in charge, as a target for responding to*

the caller, corresponding to the caller and that the displaying of the information relating to the caller in a window should correspond to said color ([0143]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Dowling with the apparatus of Azvine to develop an apparatus for extracting and displaying caller information wherein the information is conveyed in a color-coordinated manner. The modification would have been obvious, because it would be useful to provide an apparatus used for displaying caller information to a user in a peripheral way so that the user will easily be alerted to the type of information displayed (Dowling, [0008]).

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine and Dowling in view of Adams et al. (US 6,631,186 B1).

As per claim 4, Azvine and Dowling disclose the method of claim 1.

Azvine and Dowling do not explicitly disclose that if the response method is to deliver a message from the staff in charge to the caller, the displaying includes displaying contents of the message in the window.

However, in an analogous art, Adams discloses that *if the response method is to deliver a message from the staff in charge to the caller, the displaying includes displaying contents of the message in the window* (column 29, lines 20 – 32 and Figure 9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Adams with the method of Azvine and Dowling to develop a method of extracting and displaying color-coordinated caller information wherein if the response method is to deliver a message from the staff in charge to the caller, the displaying

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includes displaying contents of the message in the window. The modification would have been obvious, because the user would want a means for categorizing communications, as well as for monitoring user responses through the displaying of the responding messages (Azvine, column 1, lines 53 – 65).

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine and Dowling in view of Pepper et al. (US 5,930,700).

As per claim 5, Azvine and Dowling disclose the method of claim 1.

Azvine and Dowling do not explicitly disclose that the method further comprises notifying the staff in charge by an electronic mail whether a message is delivered to the caller, if the response method is to deliver a message from the staff in charge to the caller.

However, in an analogous art, Pepper discloses *notifying the staff in charge by an electronic mail whether a message is delivered to the caller, if the response method is to deliver a message from the staff in charge to the caller* (column 11, lines 18 – 35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Pepper with the method of Azvine and Dowling to develop a method of extracting and displaying color-coordinated caller information wherein if the response method is to deliver the caller a message, then notifying the staff in charge by an electronic mail whether the caller received said message. The modification would have been obvious, because given that the method is to act as assistant to the user to manage communications (Pepper, column 2, lines 62 – 64), the user would want a means for categorizing

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communications and in turn recommending actions, such as the sending of electronic mail, based on the categorized communication (Azvine, column 1, lines 53 – 65).

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Azvine and Dowling in view of Fultz (US 2002/0156701 A1).

As per claim 6, Azvine and Dowling disclose the method of claim 1.

Azvine and Dowling do not explicitly disclose that the method further comprises notifying the staff in charge of a change in date or location of a meeting by an electronic mail, if the response method has not been specified and there is a future meeting plan between the staff in charge and the caller.

However, in an analogous art, Fultz discloses *notifying the staff in charge of a change in date or location of a meeting by an electronic mail, if the response method has not been specified and there is a future meeting plan between the staff in charge and the caller* ([0039]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teaching of Fultz with the method of Azvine and Dowling to develop a method of extracting and displaying color-coordinated caller information wherein if the caller wishes to change a future appointment, the staff in charge will be notified of such a change through an electronic message. The modification would have been obvious, because the user would want a means for categorizing communications, such as communications pertaining to meetings, and in turn recommending actions, such as the sending of electronic mail, based on the categorized communication (Azvine, column 1, lines 53 – 65).

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Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Wiener whose telephone number is 571-270-1401. The examiner can normally be reached on Monday through Thursday from 9am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chameli Das, can be reached on 571-272-3696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chameli C. Das
CHAMELI DAS
SUPERVISORY PATENT EXAMINER

11/27/06